

NOV 22 2004



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Ralph E. Jocke
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NAME: Examiner Pierre Eddy Elisca
Art Unit 3621
Commissioner for Patents
U.S. Patent and Trademark Office

FAX NUMBER: (703) 872-9306

DATE: November 22, 2004

SENDER: Ralph E. Jocke, Esq.

FAX NUMBER: (330) 722-6446

PHONE NUMBER: (330) 721-0000

COMMENTS: Request for entry in Application No. 09/193,647. Please refer to the following.

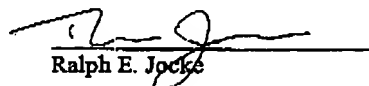
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CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(b) AND 1.6(d)**TRANSMISSION**

I hereby certify that, on the date shown below, this correspondence is being transmitted by facsimile to the Patent and Trademark Office at (703) 872-9306.

Date: November 22, 2004


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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attn: Art Unit 3621
Patent Examiner Pierre Eddy Elisca

Re: Application Serial No.: 09/193,647
Confirmation No.: 2284
Applicants: Usner, et al.
Title: Apparatus and Method for Indicating the Status
of Transaction Function Devices in an
Automated Banking Machine
Docket No.: D-1077+11

Sir:

Please find enclosed Appellants' Request for the Office to properly response to the Remand dated June 29, 2004.

No fee is deemed required. However, the Commissioner is authorized to charge any necessary fee associated with this Request and any other fee due to Deposit Account 09-0428.

Very truly yours,

Ralph E. Jocke
Reg. No. 31,029

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D-1077+11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
Usner, et al.)	
Serial No.: 09/193,647)	Art Unit 3621
Confirm. No.: 2284)	
Filed: November 17, 1998)	Patent Examiner
Title: Apparatus and Method for)	Pierre Eddy Elisca
Indicating the Status of)	
Transaction Function Devices)	
in an Automated Banking Machine))	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Communication dated November 18, 2004, kindly enter
Appellant's Request without prejudice:

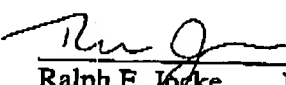
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Request for the Office to response to the Remand dated June 29, 2004

The Board on June 29, 2004 issued a Remand to the Examiner for further action regarding the application. There is no evidence of record that the Office Communication dated November 18, 2004, which attempted to reopen prosecution, was approved by a Supervisory Patent Examiner (SPE). The Communication is devoid of reopening approval via a SPE signature.

Accordingly, the extraneous comments in the Communication are non responsive to the Remand. Prosecution has not been reopened. The Remand remains pending. On behalf of the Board, Appellants request a proper response thereto.

Respectfully submitted,


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